UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	CASE NO. 1:11CR91-12
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
vs.	)	
	)	ORDER
CLARENCE FRANKLIN,	)	
	)	
	)	
DEFENDANT.	)	

This matter is before the Court upon Magistrate Judge Kenneth S. McHargh's Report and Recommendation that the Court ACCEPT Defendant Clarence Franklin's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Doc. No. 398.)

On March 8, 2011, the government filed an Indictment against Defendant. (Doc. No. 1.) On May 9, 2011, this Court issued an order assigning this case to Magistrate Judge McHargh for the purpose of receiving Defendant's guilty plea. (Doc. No. 250.)

On July 21, 2011, a hearing was held in which Defendant entered a plea of guilty to Count 1 of the Indictment, charging him with conspiracy to distribute less than 500 grams of cocaine, in violation of 21 U.S.C. Section 846. Magistrate Judge McHargh received Defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 398.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the Defendant's plea of guilty is APPROVED.

Therefore, the Defendant is adjudged guilty of Count 1 in violation of 21 U.S.C. Section 846. The sentencing will be held on October 12, 2011 at 12:30 p.m.

IT IS SO ORDERED.

Dated: September 19, 2011

HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE